

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 1, 3-5, and 7-14 are pending in the present application. Claim 1 is amended. Claims 9-10 and 12 are withdrawn. Support for the amendment to Claim 1 can be found in the specification at least at page 18, line 16 to page 19, line 3, for example. Thus, no new matter is added.

The outstanding Office Action rejected Claims 1, 5, 7-8, and 11 under 35 U.S.C. § 102(b) as anticipated by Becker (U.S. Patent No. 2,632,355); and rejected Claims 1 and 3-5 under 35 U.S.C. § 102(b) as anticipated by Brush (U.S. Patent No. 2,448,351).

Claims 13-14 were indicated as allowable if rewritten in independent form. Applicants acknowledge with appreciation the indication of allowable subject matter. However, since Applicants consider that Claim 1, from which Claims 13-14 depend, recites patentable subject matter, Claims 13-14 are maintained in dependent form at the present time.

Applicants respectfully traverse the rejection of Claims 1, 5, 7-8, and 11 under 35 U.S.C. § 102(b) as anticipated by Becker.

Amended independent Claim 1 recites that the tubular projecting portion is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion and that the radially expanded portion is formed by a leading end of the tubular projecting portion projecting from the hole of the second member being deformed. The first and second members are mutually fastened in a state where an outer circumference surface of the radially expanded portion abuts on a peripheral wall of the hole of the second member to cover an opening edge portion of the hole of the second member, as the threaded portion is screwed into the hollow portion of the tubular projecting portion.

Turning now to the cited art, Becker describes a flanged nut (10). The flanged nut (10) includes an internally threaded shank (12) and a flange (14) disposed about the shank at one end thereof.<sup>1</sup> The shank (12) is adapted for assembly in an opening (16) in a supporting panel (18), for engagement with a threaded bolt (20).<sup>2</sup> The outstanding Office Action asserts that the flanged nut (10) is a first member, the supporting panel (18) is a second member, and that the shank of the nut (10) is a tubular projecting portion.<sup>3</sup> However, Becker fails to describe that a radially expanded portion of the tubular projecting portion is formed by a leading end of the tubular projecting portion projecting from the hole of the second member being deformed and that the first and second members are mutually fastened in a state where an outer circumference surface of the radially expanded portion abuts on a peripheral wall of the hole of the second member to cover an opening edge portion of the hole of the second member, as the threaded portion is screwed into the hollow portion of the tubular projecting portion. Instead, Becker describes that the deformable portion of the flange (28) is pulled downwardly as the shank (12) is pulled into the opening (16).<sup>4</sup>

Accordingly, Applicants respectfully submit that amended independent Claim 1, and claims depending therefrom, patentably define over Becker. Therefore, Applicants respectfully request the rejection of Claims 1, 5, 7-8, and 11 under 35 U.S.C. § 102(b) be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 1 and 3-5 under 35 U.S.C. § 102(b) as anticipated by Brush.

As discussed above, amended independent Claim 1 recites that the radially expanded portion of the tubular projecting portion is formed by a leading end of the tubular projecting portion projecting from the hole of the second member being deformed and that the first

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<sup>1</sup> See Becker at column 2, lines 31-34.

<sup>2</sup> See Becker at column 2, lines 34-37.

<sup>3</sup> See outstanding Office Action at page 3.

<sup>4</sup> See Becker at column 3, lines 26-31

member and the second member are mutually fastened in a state where an outer circumference surface of the radially extended portion abuts on a peripheral wall of the hole of the second member to cover an opening edge portion of the hole of the second member, as the threaded portion is screwed into the hollow portion of the tubular projecting portion.

Turning now to the cited art, Brush describes a tubular stud (7) and a screw (19) which fastens panels (20, 21). The outstanding Office Action asserts that the tubular stud (7) is a first member, the panel (21) is a second member, and that the taper (14) of the tubular stud (7) is a tubular projecting portion.<sup>5</sup> However, Brush fails to describe all of the features recited in amended independent Claim 1. In particular, Brush fails to disclose or suggest a radially expanded portion being formed by a leading end of the tubular projecting portion projecting from the hole of the second member being deformed and that the first member and the second member are mutually fastened in a state where an outer circumference surface of the radially expanded portion abuts on a peripheral wall of the hold of the second member to cover an opening edge portion of the hole of the second member.

Accordingly, Applicants respectfully submit that amended independent Claim 1, and claims depending therefrom, patentably define over Brush. Therefore, Applicants respectfully request the rejection of Claims 1 and 3-5 under 35 U.S.C. § 102(b) be withdrawn.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. § 102(b), the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. § 1.116 be liberally construed, and that the present amendment be entered.

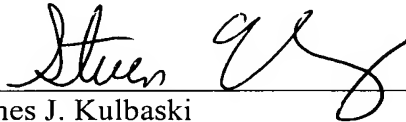
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<sup>5</sup> See outstanding Office Action at page 5.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Steven", is written over a horizontal line.

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